

Exhibit G

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MANBRO ENERGY CORPORATION,
individually and on behalf of
all those similarly situated,

Plaintiffs,

v.

Case No.

20 Civ. 3773 (LGS)

CHATTERJEE ADVISORS, LLC,
CHATTERJEE FUND MANAGEMENT, LP,
CHATTERJEE MANAGEMENT COMPANY,
d/b/a THE CHATTERJEE GROUP, and
PURNENDU CHATTERJEE,

Defendants.
-----x

*** CONFIDENTIAL ***

REMOTE DEPOSITION OF JOSEPH CARY

TAKEN BY VIDEOCONFERENCE

June 25, 2021

Reported by:

Anne E. Vosburgh, CSR-6804, RPR, CRR

Job No. 195767

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1 J. Cary - Confidential
2 potential settlement strategies?
3 A. I don't recall. I know we
4 certainly received estimated values based on
5 specific settlement amounts, you know, trying
6 to estimate, again, costs and potential
7 returns.
8 I can't remember -- I can't recall
9 if he sent like different potential
10 settlement paths, something that was written.
11 Q. When did your discussions with
12 Emissary concerning potential settlement
13 strategy occur?
14 A. Since we started talking to them.
15 I mean, obviously, they had to build up their
16 knowledge of the case before we really had
17 talks, so maybe two or three months after we
18 engaged or something like that.
19 Q. Are there any email exchanges
20 between yourself and Matt McGrath, just the
21 two of you?
22 A. Yes.
23 Q. Do you know if there are email
24 exchanges between Jon McCloskey and
25 Matt McGrath, just the two of them?

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2 Q. Would it have been only publicly
3 available information or would --
4 A. Yeah.
5 Q. Only publicly available
6 information?
7 A. Right.
8 Q. Did you discuss this preliminary
9 estimate of valuation with anyone at Parkwood
10 besides Mr. McCloskey?
11 A. Potentially Rob and Brad.
12 Q. Anyone else?
13 A. No.
14 Q. Do you recall when those
15 conversations occurred?
16 A. The investment team, I should say.
17 I should just clarify. I'm sure that as it
18 went along we discussed the valuation, but I
19 don't know over what period. It was the team
20 in general. But just in passing.
21 Q. Do you recall when those
22 conversations occurred?
23 A. 2019, 2020.
24 Q. Has Emissary Holdings provided
25 Manbro any services relating to the media?

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1 J. Cary - Confidential
2 A. I do not.
3 Q. So it's fair to say that counsel
4 was not always present or included on
5 communications with Emissary Holdings, right?
6 A. Yes.
7 Q. Did Emissary Holdings make a
8 preliminary estimate of the value of Manbro's
9 investment in WPPE?
10 A. They did some work on the valuation
11 of Haldia.
12 Q. And that's the valuation estimate
13 that you referred to?
14 A. Yes.
15 Q. And that preliminary estimate was
16 provided to you in written work product,
17 correct?
18 A. I'm assuming. It's been a couple
19 of years.
20 Q. What information did Emissary
21 Holdings rely on in making its preliminary
22 estimate?
23 A. I don't recall what information
24 they used to make -- comparables, maybe. I
25 just can't be sure.

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2 A. The PR firm.
3 Q. Does the name ReeveMark ring a
4 bell?
5 A. Yeah. Thank you.
6 Q. Is that the PR firm that was
7 retained?
8 A. Yeah.
9 Q. Did Emissary Holdings devise a
10 media strategy for Manbro relating to this
11 lawsuit?
12 A. In conjunction with ReeveMark.
13 Q. Do you know when ReeveMark was
14 retained?
15 A. I don't know the specific dates,
16 no.
17 Q. Would it have been before the
18 complaint in this action was filed?
19 A. Before the filing of the -- yeah.
20 I'd have to look at the agreement. I'm not
21 certain when. I'm assuming it was somewhere
22 around that time. I think before. I'd have
23 to look at the contract with ReeveMark.
24 Q. Who at Emissary Holdings was
25 involved in the media strategy creation?

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2 India could have changed it, edited it,

3 modified it after that, correct?

4 MR. MCDONALD: Objection.

5 A. I have not compared them, yes.

6 (Off-the-record discussion held.)

7 BY MR. CHERRY:

8 Q. Do you know if a fully drafted

9 article was provided to Telegraph India?

10 A. I don't know if a fully drafted

11 article was provided to Telegraph India.

12 Q. But the article was provided by

13 Reevesmark to Telegraph India, correct?

14 MR. MCDONALD: Objection.

15 A. I understand. I didn't know if you

16 meant the full draft of this article. So

17 like I said, I haven't compared the two side

18 by side. I don't know if anything was

19 changed or added.

20 BY MR. CHERRY:

21 Q. Was the goal of this article to

22 create negative publicity around

23 Dr. Chatterjee related to filing of the

24 lawsuit?

25 A. No. It was to raise awareness.

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2 A. So if they were more aware that we

3 were pursuing this, they would be more likely

4 to reach out to Dr. Chatterjee.

5 Q. Did you believe that Dr. Chatterjee

6 wasn't aware of the lawsuit before the

7 article was published?

8 MR. MCDONALD: Objection.

9 A. I believe he was moderately aware.

10 He was somewhat aware, but he wasn't tuned in

11 to it.

12 BY MR. CHERRY:

13 Q. You thought that the filing of this

14 article would make Dr. Chatterjee take the

15 lawsuit more seriously?

16 A. That was potentially the hope, but

17 ultimately the goal is settlement, to

18 encourage a sitdown to negotiate a mutually

19 beneficial outcome.

20 Q. And how would this article

21 encourage Dr. Chatterjee to settle the case?

22 MR. MCDONALD: Objection.

23 A. He would see it and wonder what it

24 was, take more interest in the transaction,

25 and potentially reach out.

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2 Q. The goal was to raise awareness of

3 the lawsuit in India?

4 A. I'm sorry. I will answer your

5 question in just a second. I've got to go.

6 MR. MCDONALD: Do you want to go

7 off the record, Counsel?

8 MR. CHERRY: Let's go off the

9 record.

10 THE VIDEOGRAPHER: Going off the

11 record at 4:18 p.m.

12 (Recess taken.)

13 THE VIDEOGRAPHER: We're back on

14 the record at 4:19 p.m. This marks the

15 beginning of media 6.

16 BY MR. CHERRY:

17 Q. Mr. Cary, I'll return to the last

18 question asked: The goal of this article was

19 to raise awareness of the lawsuit in India?

20 A. Yeah.

21 Q. Why did Manbro view it as important

22 to raise awareness of the lawsuit in India?

23 A. To encourage settlement.

24 Q. How would awareness of the lawsuit

25 encourage settlement?

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1 J. Cary - Confidential

2 BY MR. CHERRY:

3 Q. Did you understand that this

4 article would result in negative publicity in

5 India for Dr. Chatterjee?

6 A. I didn't, actually. Negative or

7 positive -- I don't know if it was negative

8 or positive. We were just hoping to

9 encourage settlement.

10 Q. And your only goal in encouraging

11 settlement was to make Dr. Chatterjee aware

12 of this lawsuit?

13 A. Make him aware, yes. More aware.

14 Q. Why did you believe he wasn't aware

15 before the filing of this article?

16 MR. MCDONALD: Objection. It's

17 been asked and answered.

18 MR. CHERRY: It has not been asked

19 and answered.

20 BY MR. CHERRY:

21 Q. Please go ahead, Mr. Cary.

22 MR. MCDONALD: It has been asked

23 and answered. You didn't like the

24 answer. That doesn't mean you get to

25 ask it again.

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2 MR. CHERRY: Mr. McDonald, I asked

3 a different question this time. I'm

4 asking why he believes Mr. Chatterjee

5 was not aware. That has not been asked

6 before. You can check the transcript.

7 BY MR. CHERRY:

8 Q. Mr. Cary, please answer.

9 MR. MCDONALD: It has been

10 answered.

11 Mr. Cary, don't feel like you need

12 to change your answer because Mr. Cherry

13 asked the same question again.

14 A. Why did I think he wasn't aware?

15 Was that your question? Because we hadn't

16 settled.

17 BY MR. CHERRY:

18 Q. Was it your understanding that

19 Dr. Chatterjee would only be aware of the

20 lawsuit when he had settled the lawsuit?

21 A. No. I think he would be more aware

22 with this article so that we could

23 potentially settle.

24 Q. What about his conduct before

25 publication of this article made you believe

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2 A. Parkwood authorized them, I

3 believe, to create a publication to raise

4 awareness. I don't know that Telemark India

5 was specifically on the list. It may have

6 been or -- if there was an official list of

7 publications that they were reaching out to.

8 Q. Have you ever seen a communication,

9 a written communication, between

10 Emissary Holdings, ReeveMark, or Parkwood and

11 Telegraph India?

12 A. No.

13 Q. Do you understand that ReeveMark

14 would have communicated with Telegraph India

15 via email?

16 A. I don't.

17 Q. Do you know how --

18 A. I don't know how they communicated.

19 Q. I'm sorry. Do you know how --

20 A. I don't know how they communicated.

21 Q. Do you know how ReeveMark passed

22 along the article it drafted to Telegraph

23 India?

24 A. I do not.

25 Q. Fair to say that it was in written

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2 that he wasn't sufficiently aware of the

3 lawsuit?

4 A. So we hadn't settled and there

5 didn't appear to be any willingness to even

6 sit down and settle. There had been little

7 communication. They hadn't provided

8 financials. They were generally

9 unresponsive.

10 Q. And so you wanted to file this

11 article to exert pressure on Dr. Chatterjee?

12 A. I wanted to raise awareness, yes.

13 Q. Your goal was that if

14 Dr. Chatterjee saw there were these

15 publications in his home country, he would be

16 more inclined to settle with you?

17 A. He would be more aware and

18 potentially more inclined, yes.

19 Q. Did Manbro -- does Manbro or

20 Parkwood have any employees or officers in

21 India?

22 A. Not to the best of my knowledge.

23 Q. Was ReeveMark's decision to reach

24 out to Telegraph India authorized by

25 Parkwood?

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2 form and not communicated verbally?

3 MR. MCDONALD: Objection.

4 A. I can't know that. How would I

5 know that?

6 BY MR. CHERRY:

7 Q. You mentioned earlier a potential

8 list of publications. Was there a list of

9 publications that was being discussed to

10 advance the media strategy in this case?

11 A. We verbally discussed some. That's

12 what I recall, but I don't recall which

13 specific media outlets we discussed.

14 Q. Do you recall if any other outlets

15 were approached by ReeveMark or

16 Emissary Holdings?

17 A. I don't know what other outlets

18 were approached by ReeveMark. I don't

19 believe that Emissary Holdings ever

20 approached any of them, but that's the best

21 of my knowledge.

22 Q. You know ReeveMark approached

23 Telegraph India, correct?

24 A. Yes.

25 Q. Do you know if any other

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1 J. Cary - Confidential
 2 Q. What about the investment in
 3 [REDACTED]
 4 A. Me.
 5 Q. And the investment in [REDACTED]
 6 A. Me.
 7 Are you asking me to search for
 8 these investments and tell you about them?
 9 Q. No, Mr. Cary. I'm just asking you
 10 who would be the best person to ask about
 11 these investments at Parkwood.
 12 A. I am the primary contact for all
 13 hedge fund-related investments.
 14 Q. And the same is true for [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 A. I would assume so, yes.
 18 Q. But sitting here today, without
 19 having done that independent research, you
 20 don't have further information about those
 21 investments, correct?
 22 A. That's correct. I would have to
 23 look them up.
 24 Q. Earlier, Mr. Cary, you mentioned
 25 efforts by an investigative firm to track

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 2 C E R T I F I C A T E
 3
 4 I, ANNE E. VOSBURGH, Certified Shorthand
 5 Reporter, Registered Professional Reporter,
 6 Certified Realtime Reporter, and Closed
 7 Captioner, hereby certify:
 8 That JOSEPH CARY, via remote
 9 videoconference, solemnly affirmed and agreed to
 10 testify to the truth, the whole truth and
 11 nothing but the truth; that all counsel
 12 stipulated to this process, notwithstanding the
 13 location of reporter or witness at time of
 14 deposition; and that this transcript is a true
 15 and correct record of testimony given.
 16 I further certify that I am not related
 17 to any of the parties to this action and that I
 18 am in no way interested in the outcome of this
 19 matter. Dated: June 28, 2021
 20 *Anne E. Vosburgh*
 21 _____
 22 ANNE E. VOSBURGH
 23 Certified Shorthand Reporter No. 6804
 24 Registered Professional Reporter
 25 Certified Realtime Reporter

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 2 down the list of limited partners in the
 3 Winston funds.
 4 Do you recall that?
 5 A. I do.
 6 Q. Do you know if your investigative
 7 firm was ever successful in tracking down
 8 that list?
 9 A. They were not.
 10 MR. CHERRY: Nothing further from
 11 us.
 12 MR. MCDONALD: I have no questions.
 13 We can go off the record.
 14 THE VIDEOGRAPHER: Are we all set,
 15 Counsel?
 16 MR. CHERRY: Yes. Thank you.
 17 THE VIDEOGRAPHER: This concludes
 18 today's testimony of Joseph Cary. We
 19 are going off the record at 5:20 p.m.
 20 This also concludes media 6.
 21 (The deposition was concluded at
 22 5:20 p.m.)
 23
 24
 25

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1 J. Cary - Confidential
 2 Case Name:
 3 Deposition Date:
 4 Deponent:
 5 Pg. No. Now Reads Should Read Reason
 6 _____
 7 _____
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 19 _____
 20 _____
 21 _____
 22 _____
 23 Signature of Deponent
 24 SUBSCRIBED AND SWORN BEFORE ME
 25 THIS ____ DAY OF _____, 2021.
 (Notary Public) MY COMMISSION EXPIRES: _____